

Senate Bill No. 1607

CHAPTER 974

An act to amend Section 11011.21 of, and to repeal and add Section 14672.14 of, the Government Code, to amend Section 3 of Chapter 625 of the Statutes of 1991, to amend Section 1 of Chapter 761 of the Statutes of 1976, and to amend Section 1 of Chapter 770 of the Statutes of 2000, to amend Section 12 of Chapter 1087 of the Statutes of 1985, relating to state property.

[Approved by Governor September 26, 2002. Filed
with Secretary of State September 27, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1607, Committee on Governmental Organization. State property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property. The proceeds of certain sales made or rents received that are deposited in the General Fund under specified provisions of law are available for appropriation to the department for the care, maintenance, and improvement of certain real property that is under the jurisdiction of, or being administered by, the department, or for specified associated payments.

Existing law requires all proceeds from the lease of armories to be deposited in the Armory Fund, to be available, upon appropriation by the Legislature, for the maintenance, acquisition, or construction of armories.

This bill would authorize the Director of General Services to exchange, lease, or transfer specified parcels of state property, including specified armory property. This bill would require the net proceeds of any armory property to be deposited into the Armory Fund, the net proceeds from a specified lease to the City of Los Angeles to be deposited in the State Highway Account in the State Transportation Fund, and the net proceeds from the disposition of any other parcels to be deposited into the General Fund, to be available for appropriation to the department in accordance with the provisions governing appropriations concerning property under its jurisdiction or administration. It would also require the reservation of mineral rights, as specified.

This bill would also rescind the authority of the director to sell, lease, exchange, or transfer other specified parcels of state property.

The people of the State of California do enact as follows:

SECTION 1. Section 11011.21 of the Government Code is amended to read:

11011.21. (a) The Legislature finds and declares that the Department of General Services has, pursuant to former Section 11011.21, as added by Section 8 of Chapter 150 of the Statutes of 1994, and amended by Section 15 of Chapter 422 of the Statutes of 1994, developed an inventory, known as the Surplus Property Inventory, of state-owned properties that are either surplus to the needs of the state in their entirety or are being used for a state program and some portions of the property are unused or underutilized.

(b) State agencies, when purchasing real property, shall review the Surplus Property Inventory and purchase, lease, or trade property on that list, if possible, prior to purchasing property not on the Surplus Property Inventory.

(c) The Department of General Services may sell, lease, exchange, or transfer for current market value, or upon terms and conditions as the Director of General Services determines are in the best interest of the state, all or part of properties as follows:

Parcel 1. Approximately 292 acres with improvements thereon, known as the Agnews Developmental Center-West Campus, bounded by Lick Mill Blvd., Montague Expressway, Lafayette Street and Hope Drive, in Santa Clara, Santa Clara County.

Parcel 2. Approximately 56 acres known as a portion of the Agnews Developmental Center-East Campus, located between the Agnews Developmental Center and Coyote Creek, in San Jose, Santa Clara County.

Parcel 3. Approximately 102 acres with improvements thereon, known as the Stockton Developmental Center, located at 510 E. Magnolia Street, in Stockton, San Joaquin County.

Parcel 6. Approximately 33.56 acres with improvements thereon, known as the California Highway Patrol Motor Transport Facility and Shop, located at 2800 Meadowview Road, in Sacramento, Sacramento County.

Parcel 7. Approximately 1.03 acres of land, not including improvements thereon, located at 1614 O Street, in Sacramento, Sacramento County, and leased by the Department of General Services to the Capital Area Development Authority for development of the 17th Street Commons condominiums.

Parcel 8. Approximately 2 acres of land, not including improvements thereon, located on a portion of block 273 bound by 10th, 11th, P, and Q Streets, in Sacramento, Sacramento County, and leased

by the Department of General Services to the Capital Area Development Authority for development of the Somerset Parkside condominiums.

Parcel 9. Approximately 1.76 acres of land, not including improvements thereon, located on the south $\frac{1}{2}$ of block bound by 15th, 16th, O, and P Streets and the south $\frac{1}{4}$ of block bound by 14th, 15th, O, and P Streets, in Sacramento, Sacramento County, and leased by the Department of General Services to the Capital Area Development Authority for development of the Stanford Park condominiums.

Parcel 10. Approximately 1.18 acres of land, not including improvements thereon, located on the north $\frac{1}{2}$ of block bound by 9th, 10th, Q, and R Streets, in Sacramento, Sacramento County, and leased by the Department of General Services to the Capital Area Development Authority for development of the Saratoga Townhomes.

Parcel 11. Approximately 3.66 acres including improvements thereon, known as the Department of General Services, Junipero Serra State Office Building, located at 107 S. Broadway, in Los Angeles, Los Angeles County.

Parcel 12. Approximately 32 acres including improvements thereon, being a portion of the State Department of Developmental Services Fairview Developmental Center, located at 2501 Harbor Blvd., in Costa Mesa, Orange County.

Parcel 13. Approximately 3.6 acres, with improvements thereon. Entire structure used as the Delano Armory by the Military Department, located at 705 South Lexington Street, in Delano, Kern County.

Parcel 16. Approximately 1,720 acres of agricultural land, being a portion of the Department of Corrections' Imperial South Centinella Prison, located at 2302 Brown Road, in Imperial, Imperial County, which shall only be available for lease.

Parcel 17. Approximately 800 acres of agricultural land, being a portion of the Department of Corrections' Imperial North Calipatria Prison, located at 7018 Blair Road, in Calipatria, Imperial County, which shall only be available for lease.

(d) The Department of General Services shall be reimbursed for any cost or expense incurred in the disposition of any parcels.

(e) Notices of every public auction or bid opening shall be posted on the property to be sold pursuant to this section, and shall be published in a newspaper of general circulation published in the county in which the real property to be sold is situated.

(f) Any sale, exchange, lease, or transfer of a parcel described in this section is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.



(g) As to any property sold pursuant to this section consisting of 15 acres or less, the Director of General Services shall except and reserve to the state all mineral deposits possessed by the state, as defined in Section 6407 of the Public Resources Code, below a depth of 500 feet, without surface rights of entry. As to property sold pursuant to this section consisting of more than 15 acres, the director shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

(h) The net proceeds of any moneys received from the disposition of any parcels described in this section shall be deposited in the General Fund.

SEC. 2. Section 14672.14 of the Government Code is repealed.

SEC. 3. Section 14672.14 is added to the Government Code, to read:

14672.14. (a) Notwithstanding Sections 11011 and 54222 or any other provision of law, the Director of General Services, with the approval of the State Public Works Board, upon those terms and conditions that the director deems in the best interest of the state, may, upon the conditions specified in subdivision (c), transfer at no cost to the City of Chino up to 140 acres of real property, of which a portion is currently leased to the City of Chino pursuant to Section 14672.15. The transfer of land shall be only for the development and maintenance of a public park, public recreational uses, and open-space uses, including the development of joint use facilities with Chaffey Community College. Upon the transfer authorized by this section, the lease and authority authorized by Section 14672.15 shall terminate.

(b) Notwithstanding Section 11011 or any other provision of law, the Director of General Services, with the approval of the State Public Works Board, upon those terms and conditions that the director deems in the best interests of the state, may, upon the conditions specified in subdivision (c), transfer at no cost to the Chaffey Community College District up to 100 acres of real property for the development of a new community college campus and development of joint use facilities with the City of Chino.

(c) The Department of General Services shall process an application with the City of Chino for the zoning and specific plan approval of approximately 450 acres of property identified as surplus pursuant to Section 1 of Chapter 770 of the Statutes of 2000 as amended by the act adding this section. The transfers pursuant to subdivisions (a) and (b) shall occur only when the City of Chino has granted, according to terms



and conditions deemed acceptable by the director, all approvals necessary to rezone the property, approved a specific plan or plans for the property, and entered into any development agreements needed to sell the approximately 450 acres.

(d) The transfer authorized pursuant to subdivisions (a) and (b) are further conditioned that should the authorized uses ever cease then title shall revert to the State of California. In addition, upon terms and conditions deemed in the best interest of the state by the director, the city and Chaffey College shall be responsible for their share of the costs needed to implement the planned development and accomplish the transfers, including, but not limited to, the costs of infrastructure improvements, roads, utilities, environmental mitigation measures, environmental impact reports, special studies, and facility relocations.

SEC. 4. Section 1 of Chapter 761 of the Statutes of 1976, as amended by Section 8 of Chapter 417 of the Statutes of 1996, is amended to read:

Sec. 1. The Director of General Services, with the approval of the State Public Works Board, is hereby authorized to sell or lease for current market value and upon such terms and conditions and with such reservations and exceptions as in his or her opinion may be for the best interest of the state, all or any part of the following real property:

Parcel 8. Approximately 2.5 acres of land, being land acquired by the state as partial satisfaction of a personal income tax liability, located on Carter Lane, approximately one-half mile west of the Bermuda Dunes Airport in Riverside County.

Parcel 9. Approximately 1.5 acres of land, being a portion of the Dorris Agricultural Quarantine Inspection Station, located about $\frac{1}{4}$ mile south of the community of Dorris on State Highway Route 97, in Siskiyou County.

SEC. 5. Section 12 of Chapter 1087 of the Statutes of 1985 is amended to read:

Sec. 12. In carrying out the requirement of subdivision (b) of Section 1 of Chapter 1549 of the Statutes of 1982 to sell excess land at the Northern California Youth Center as surplus property, the land at the center that is excess to correctional needs and is to be sold as surplus property shall consist of approximately 280 acres of the land currently under the jurisdiction of the Department of the Youth Authority and lying south of Arch Road, east of Newcastle Road, and west of Austin Road in the County of San Joaquin. Notwithstanding Section 11011 of the Government Code or any other provision of law, the excess land shall not be sold or otherwise transferred to any state agency.



SEC. 6. Section 3 of Chapter 625 of the Statutes of 1991, as amended by Section 3 of Chapter 870 of the Statutes of 1999, is amended to read:

Sec. 3. The Director of General Services, with the approval of the State Public Works Board, may sell or lease for current market value only, all or any part of the following property:

Parcel 2. Approximately 1.07 acres, with a structure used by the Employment Development Department, located at 1313 Pine Avenue, Long Beach, Los Angeles County.

Parcel 3. Approximately 0.43 acre, with a structure used by the Employment Development Department, located at 660 Tule Street, Mendota, Fresno County.

Parcel 5. Approximately 0.18 acre, with a structure used by the Employment Development Department, located at 500 North Garden, Visalia, Tulare County.

Parcel 6. Approximately 1.46 acres, with a structure used by the Employment Development Department, located at 100 North Imperial Avenue, El Centro, Imperial County.

Parcel 8. Approximately 1.17 acres, with a structure used by the Employment Development Department, located at 346 Front Street, Salinas, Monterey County.

Parcel 9. Approximately 0.85 acre with a structure used by the Employment Development Department, located at 805 R Street, Sacramento, Sacramento County.

SEC. 7. Section 1 of Chapter 770 of the Statutes of 2000 is amended to read:

Sec. 1. The Director of General Services, with the approval of the State Public Works Board, may sell, exchange, lease, or transfer for current market value, or for any lesser consideration authorized by law, and upon terms and conditions and subject to reservations and exceptions that the director determines are in the best interest of the state, all or any part of the following property:

Parcel 1. Approximately a 49.14 acre irregularly shaped property (APN 048-010-210), under the jurisdiction of the State Department of Health Services, located at 6250 Lambie Road, Solano County.

Parcel 2. Approximately 450 acres of real property in San Bernardino County, located south of Edison Avenue, west of Euclid Avenue, and northerly of the proposed southerly boundary identified by the Strategic Master Land Use Plan and Implementation Approach CIM Chino.

SEC. 8. Notwithstanding Section 14670 of the Government Code or any other provision of law, the Director of General Services, with the approval of the Director of Transportation, may lease to the City of Los



Angeles for the colocation of the city's transportation division in the Department of Transportation office building located at 100 South Main Street, Los Angeles, upon terms and conditions deemed to be in the best interest of the state, up to 130,000 gross square feet and for a period not to exceed 25 years.

SEC. 9. (a) The Director of General Services, with the concurrence of the Adjutant General, may exchange with the Cities of Glendale and Burbank and the Burbank Glendale Pasadena Airport Authority interests in certain real property located in the Cities of Burbank and Glendale that contain California National Guard Armory facilities, for certain real property owned by the Burbank Glendale Pasadena Airport Authority and for the improvement thereof with an armory facility for use by the California National Guard.

(b) The exchange shall be based on current market value and subject to federal regulations, and further subject to the terms and conditions, and with the reservations and exceptions, the Director of General Services determines are in the best interest of the state. The exchange shall result in no net cost to the state.

SEC. 10. The Director of General Services, with the concurrence of the Adjutant General, may lease to the Sacramento Archdiocese, a corporation sole, for a period not to exceed seven years, approximately 1.4 acres of real property located at 1013 58th Street in the City of Sacramento, in the County of Sacramento, known as the 58th Street Armory, for purposes of constructing a parking lot, upon terms and conditions deemed to be in the best interest of the state.

SEC. 11. Notwithstanding Section 14670 of the Government Code or any other provision of law, the Director of General Services, with the approval of the Director of Developmental Services, may lease to the County of Sonoma for a period not to exceed 20 years, up to 1.5 acres of real property located within the grounds of the Sonoma Developmental Center for the purpose of providing housing for migrant farmworkers, upon terms and conditions deemed to be in the best interest of the state.

SEC. 12. (a) Notices of every public auction or bid opening shall be posted on the real property to be sold under this act and shall be published in a newspaper of general circulation published in the county in which the real property to be sold is situated.

(b) Any sale, exchange, lease, or transfer of the parcels described in this act is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6 (commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.



SEC. 13. (a) The Department of General Services shall be reimbursed for any cost or expense incurred in the disposition of any parcels described in this act.

(b) The net proceeds from the sale or lease of any armory property described in this act shall be deposited in the Armory Fund pursuant to Section 435 of the Military and Veterans Code, and the net proceeds from the lease entered into by the City of Los Angeles pursuant to Section 8 of this act shall be deposited in the State Highway Account in the State Transportation Fund. The net proceeds of any other moneys received from the disposition of any parcels described in this act shall be deposited in the General Fund and, unless otherwise specified, be available for appropriation in accordance with Section 15863 of the Government Code.

SEC. 14. As to any property sold pursuant to this act consisting of 15 acres or less, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, below a depth of 500 feet, without surface rights of entry. As to property sold pursuant to this act consisting of more than 15 acres, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

